UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 05-10019-RGS
)	
DANIEL W. McELROY and)	
AIMEE J. KING McELROY)	

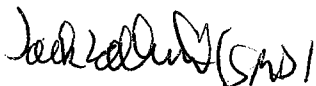## RESPONSE OF THE DEFENDANTS, DANIEL W. MCELROY AND AIMEE J. MCELROY, TO THE COURT'S PRE-TRIAL ORDER

1)   Currently, the government and the Defendants anticipate filing stipulations regarding the admissibility of the governments exhibits.

2)   The Defendants do not have any alibi witnesses and do not know what witnesses, if any, they will call without first receiving the government's witness list.

3)   Currently there are some issues concerning expert witness matters and the Defendants will determine by the end of Monday, January 14, 2008, if further motions on this issue are necessary.

4)   The Defendants do not know, and at this time cannot know, what exhibits they may introduce during the government's case.

5)   The Defendants have filed contemporaneously with this Response two Motions In Limine and a Motion for Discovery.

6)   The Defendants estimate the trial will require fifteen to twenty trial days.

7)   The Defendants are preparing Jury Instructions dealing with specific issues in this case and they will be filed as soon as possible.

{K0361833.1}

8)   The Defendants have filed contemporaneously with this Response their proposed questions for jury voir dire.

Respectfully submitted:

AIMEE J. McELROY
By her attorney,

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DATED: January 11, 2008

Respectfully submitted

DANIEL McELROY,
By his attorney,

_____
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on _____

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